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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/520,403	03/08/2000	Aaron Moore	ZEPHA-00-001	1302
530	7590	02/09/2004	EXAMINER	
LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK 600 SOUTH AVENUE WEST WESTFIELD, NJ 07090			TRAN, MYLINH T	
			ART UNIT	PAPER NUMBER
			2174	

DATE MAILED: 02/09/2004

11

Please find below and/or attached an Office communication concerning this application or proceeding.

8

Office Action Summary

Applicant N

09/520,403

Applicant(s)

MOORE ET AL.

Examiner

Mylinh T Tran

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Amendment filed 10/19/03.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Applicant's Amendment filed 10/19/03 has been entered and carefully considered. Claims 1, 9 and 10 have been amended. Claims 16 and 17 have been added. However, limitations of amended and new claims have not been found to be patentable over the prior arts of record, therefore, claims 1-17 are rejected under the same ground of rejection as set forth in the Office Action mailed (07/15/03).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains.

Patentability shall not be negated by the manner in which the invention was made.

Claims 1-5, 8-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cecco et al. [US. 6,310,631] in view of Brooks [US. 6,008,809].

As to claims 1, 2 and 9, Cecco et al. shows means for splitting a display window by dragging a mouse from a begin point in the display to end point in the display (figure 4A, column 5, lines 46-67) and means responsive to said mouse dragging wherein said display divides and forms a separate display window having an edge corresponding to a line

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passing through said begin and end points (figure 4A, panel 20, column 3-26); means for splitting a display window by defining with a mouse two points in said display, said two points defining a line (figure 4B, panel 20 including two dots, and figure 5A-5C). The difference between Cecco et al. and the claim is displaying dividing and forming a separate display window. Brooks shows the limitation at figure 13-14, column 10, lines 25-60. It would have been obvious to one of ordinary skill in the art, having the teachings of Cecco and Brooks before them at the time the invention was made to modify the mouse splitter program taught by Cecco to include the method of dividing a window into multiple ones of Brooks, with the motivation being to make efficient way for the user to always see clearly information displaying in two windows simultaneously without overlapping as taught by Brooks.

As to claim 3, Cecco et al. also discloses receiving a set of coordinates relative to said display window from a user, said coordinates defining a line and dividing said display window into a plurality of panes, said panes defined by said line and said frame borders (figure 5A-5C, column 6, lines 19-25).

As to claim 4, Cecco et al. teaches the line intersects opposing borders of said display window (figure 5A, the common border of panel 8 and 9).

As to claim 5, Cecco et al. also teaches the coordinates are provided by a user via a pointing device (column 5, lines 13-26).

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As to claims 8, 10 and 13-15, Cecco teaches receiving a set of coordinates relative to the display window, the coordinates defining a line transecting two or more panes of the plurality of panes and dividing each of the two or more panes each into two additional panes, each of the additional panes having a segment of the transecting line as a common edge (figure 3, (13, 14, 15, 16) column 5, lines 2-26).

As to claim 11, Cecco also teaches the cursor movement is carried out using one of a mouse, touch screen, touch pad or light pen (column 5, lines 13-20).

As to claim 12, Cecco shows the cursor movement is carried out using one of a joystick, pointing stick, or stylus and tablet (column 5, lines 5-6).

As to claims 16 and 17, Cecco also shows the edge corresponding to said line being oriented horizontally and vertically (figure 3, column 3-26).

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains.

Patentability shall not be negated by the manner in which the invention was made.

Claims 6-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cecco et al. [US. 6,310,631] in view of Brooks [US. 6,008,809] and further in view of Lebling [US. 6,141,007].

As to claim 6, the difference between Cecco et al., Brooks and the claim is a scrollable list box associated with each of the plurality of panes.

Lebling shows the limitation at (figure 7A, column 10, lines 30-65).

Lebling discloses providing a scrollable list box associated with each of the plurality of panes, each list box containing one or more display options for display in the associated pane; and selecting by the user one of the display options for display for each of the panes; and displaying within each of the panes a visual display associated with the display option selected for each of the panes (figure 7A, column 10, lines 30-65).

It would have been obvious to one of ordinary skill in the art, having the teachings of Cecco, Brooks and Lebling before them at the time the invention was made to modify the mouse splitter program and the method of dividing a window into multiple ones taught by Cecco and Brooks to include the scrollable list box associated with each of the plurality of panes of Lebling, with the motivation being to make it possible for the user to view different parts of the document simultaneously as taught by Lebling.

As to claim 7, Lebling also discloses one or more of the list boxes including graphical representations of the display options for display (column 1, lines 10-30).

R s p o n s t o A r g u m e n t s

Applicant has argued the Cecco does not teach “means for splitting a display window by dragging a mouse from a begin point in the display to an end point in the display” and “means responsive to said mouse dragging wherein said display divides and forms a separate display window having an edge corresponding to a line passing through said begin and end points”. However, the Examiner respectfully disagrees with Applicant. Basing on the claim language, the line which has an edge corresponding to a line passing through said begin and end points does not need to display on the display window. It could be an imaginary line passing through the begin and end points. The Cecco’s system still reads over the feature by showing the grab handle 15 going from point (13) to point (15). There exists a imaginary line between points 13 and 15 on the display (6) of figure 3. The Applicant is noted that although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims.

In response to the argument of claims 8, 10 and 13-15, there is at least two points (13) and (15) of figure 2 on the display (6) being provided to describe an imaginary line for dividing panes.

Regarding claims 16-17, Applicant argues there is no “oriented vertically”. However, Applicant’s attention is directed to figure 3, there is an oriented vertical line diving pane 6 and 7.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Conclusion

Responses to this action should be mailed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231. If applicant desires fax a response, (703) 872-9306. NOTE, A Request for Continuation (Rule 60 or 62) cannot be faxed.

Please label "PROPOSED" or "DRAFT" for information facsimile communications. For after final responses, please label "AFTER FINAL" or "EXPEDITED PROCEDURE" on the document.

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Fourth Floor (Receptionist).

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mylinh Tran whose telephone number is (703) 308-1304. The examiner can normally be reached on Monday-Thursday from 8.00AM to 6.30PM

If attempt to reach the examiner by telephone are unsuccessful, the examiner 's supervisor, Kristine Kincaid, can be reached on (703) 308-0640,

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3800.

Mylinh Tran

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SY D. LUV
PRIMARY EXAMINER